

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CAROL J. MILLER,

Case No. 10-cv-1141-JCC-JPD

Plaintiff,

## REPORT AND RECOMMENDATION

V.

MICHAEL J. ASTRUE, Commissioner of the  
Social Security Administration,

**Defendant.**

Plaintiff brought this action to seek judicial review of the denial of her application for  
disability benefits by the Commissioner of the Social Security Administration. Dkt. 3. The  
parties have stipulated that this case should be reversed and remanded to the Commissioner  
of Social Security to sentence four of 42 U.S.C. § 405(g) for a finding of disability as of August 18, 2006,  
and calculate benefits based on plaintiff's application protectively filed on August 18,  
under Title XVI of the Social Security Act. Dkt. 18.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for an award of SSI benefits. A proposed order accompanies this Report and Recommendation.

DATED this 15th day of December, 2010.

James P. Donohue  
MES. P. DONOHUE

JAMES P. DONOHUE  
United States Magistrate Judge